

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BARBARA E. MATHISEN,)
Plaintiff,) CASE NO. C13-1040-RSL-MAT
v.)
CAROLYN W. COLVIN, Acting) REPORT AND RECOMMENDATION
Commissioner of Social Security,)
Defendant.)

Plaintiff brought this action to seek judicial review of the denial of her application for disability benefits by the Commissioner of the Social Security Administration. The parties now stipulate this case should be reversed and remanded for further proceedings. (Dkt. 16.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge shall: (1) offer plaintiff an opportunity for a new hearing, further update the medical record, and issue a new decision; (2) include all unrejected work-related limitations in the residual functional capacity (RFC) finding; (3) further consider plaintiff's ability to return to past relevant work at step four in

accordance with Social Security Ruling (SSR) 82-62 and obtain supplemental vocational expert evidence in order to clarify the effect of the assessed limitations on plaintiff's occupational base, including whether she had transferable skills and the type of skills acquired from any past relevant work in accordance with SSR 82-41; and (4) if necessary, reassess step five with the assistance of a vocational expert, ensuring the vocational expert is provided a hypothetical consistent with the RFC ultimately found. Upon proper application, the Court will consider plaintiff's application for attorneys' fees under the Equal Access to Justice Act, 24 U.S.C. § 2412, *et seq.*

09 The Court recommends that United States District Judge Robert S. Lasnik immediately
10 approve this Report and Recommendation and order the case REVERSED and REMANDED
11 for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A
12 proposed order accompanies this Report and Recommendation.

13 DATED this 13th day of November, 2013.

Michael D. Brown

Mary Alice Theiler
Chief United States Magistrate Judge